Adjournment motion re: sale and removal of timber by means of tenders.

President.—According to the Rules, only one adjournment motion can be taken up in one session. There are two motions. Of these we shall take up the adjournment motion of Mr. A. B. Salem, since it is the first one.

Mr. A. B. Salem.—During the Budget Session, Sir, a token motion was tabled. A substantial motion was reduced to a token motion. The House divided on the question that no more tenders be called for in the Forest Department. Our reasons were, as has been evident before and in to-day's question paper, that large quantities of rose-wood and teak and other forest produces by means of tenders were going out from the State. Fifty per cent discount is allowed to Hill Depot measurements and tenders are accepted in spite of auction. Rs.18—42 was the price per candy we got and by means of auction we get Rs. 63—105 per candy. In the face of these glaring losses that the State is suffering from the Forest Department, we said no more tenders. Throw it open. Tenders is a closed business. Anything might take place in the closed place of the Hill Depot. It is so close that we can see nothing from below. Anything may take place in the forests. Therefore, in the forests no more tenders should be invited. For this we tabled a token motion and the House divided on the token motion and accepted it.

In the Proceedings of the Diwan, dated 13th August 1928, Order C. No. 2203/03, it was accepted under 'IX—Forests—(A), Purchase of elephants, their capture and training, feeding and treatment' Re. 1, 'other works' Re. 1, 'Conservancy and works' Re. 1; total one. All those four cuts were accepted by Government and all those and the other items of reductions too. And the Diwan did not consider it necessary to restore them in the final budget Proceedings which tantamounts to the acceptance of the principle upon which the House divided, and, therefore, it is that I said that the Government has accepted our motion, and no more sale should be continued by means of tenders in the Forest Department, and by any means other than public auction in the plain below.

President.—That is not acceptance of the motion. The Member for Forests was under the impression that it was a resolution.

Mr. K. Govinda Menon.—It was a resolution.

President.—No. It was a token motion. Whether the principle involved in this token motion should be accepted or not is a matter that has to be considered in the usual course of things.

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Mr. A. B. Salem.— When you accept the cut, you accept the principle. Otherwise there is no meaning.

President.—The motion having referred to a small item, it is a token motion, and it is intended to bring some important matter for consideration.

Mr. A. B. Salem.—That is the view that I have understood. Perhaps I may be wrong. There is a separate consideration. All these token motions are carried by the House just as resolutions are carried by the House and are subsequently considered.

When, by a token motion, we bring matters for discussion and after the principle has been discussed, when the Government does not accept the principle inside the House, there we divide the House to see whether the House accepts the principle. If the cut is not pressed, the whole demand will be granted. If the one rupee cut is accepted by the Government, then the principle also is accepted by the Government. Otherwise there is no principle involved in this constitutional procedure. It is impossible for us to know whether the Government has accepted or not until this Gazette comes out, saying that such and such a token motion is accepted and such and such a cut restored.

President.— Have you come across instances of this nature where such token motions were considered and either accepted or rejected?

Mr. A. B. Salem.—I do not know.

Mr. E. Ikkanda Warriar.—Discussions of the merits are irrelevant at this stage.

President.—I thought that was the correct step.

Mr. A. B. Salem.—If the cut is accepted, the Government accepts the principle, that is my point. It is for the Chair to rule.

President.—As I have understood the statement in the budget, it is not a decision which the Government has accepted.

Mr. A. B. Salem.—It is then due to the difference of view.

President.—It is not understood so, and I do not take it to be an acceptance of the cut motion.

Mr. A. B. Salem.—Anyhow, a discussion will be quite necessary, and advantageous to the Government as not to call any tenders and sell by public auction in the plain is better than what it has been in the last two occasions. It has resulted in very great benefits—by over 60 to 70 per cent by even 200 to 300 per cent.

President.—This identical question was considered by the Council as per Rule (35).

Mr. A. B. Salem.—We are considering the notification hat is issued in the Gazette. Whether that is beneficial and

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whether it is within the province of decision of the House or not and whether the Government has accepted it or not.

Whether accepted or not, anyhow the matter has to be considered, 'whether it should be by auction in the plains or by tenders.'

President.—Your objection is as regards the notification of the Conservator of Forests or the Government? Is there any objection? We will admit.

Whether the time for preparation is sufficient for the Conservator, I do not know. We shall take it up for consideration at 3-30 p. m. you will be able to go on with the matter. Are you prepared to discuss the matter? This is the last day and I will put it at 3-30 p. m. and continue till 5-30 p. m.

Yours, Mr. Antony, cannot be admitted as one has already been admitted.

Amendments to Standing Orders.

President.—Next item of business in the agenda is 'Amendments to Standing Orders'. We have appointed a Committee to revise our Standing Orders.

Mr. K. T. Mathew.—Since a Committee has been appointed for the purpose, I do not now move my amendments.

(Hence the following amendments to Standing Orders were considered withdrawn.:—

(1) To substitute the word 'or' for the word 'and' standing between the words 'the rules' and 'Standing Orders' in Standing Order No. (1) and add the following to the Standing Order referred to, 'Such notices may be left at the Council Office even when the Council is not in session or has not been constituted. The notices may also be left by a Member elected or nominated, even before the Member is sworn in.'

(2) To substitute the words 'fifteen clear days' for the words 'seven days' in Standing Order No. 37 (1) (i).

(3) To omit the words 'the Secretary to the Council (when they are Members of the Council)' and insert there '(when he is a Member of the Council)' in Standing Order No. 66.

(4) To substitute the words 'the President' for the word 'Government' standing between the words 'in such manner as' and 'may determine' in Standing Order No. 66.

Resolutions on Matters of General Public Interest:—

19. Agricultural experimental and demonstration Stations.

President.—Then we shall take up the resolutions for discussion.

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Adjournment motion regarding sale and removal of timber by means of tenders (*continued*).

Deputy President.— It is now 3-30. We shall take up the adjournment motion; and then, if there is time enough left, we shall consider this resolution.

Mr. A. B. Salem.—Sir, I rise to move that the business of the Council be adjourned for the purpose of considering the notification that appeared in the Cochin Government Gazette on the 23rd Vrischigam 1104 to the effect that tenders are invited for felling and removing 1,358 marked trees.

Now, Sir, this is a matter that affects the revenues of the State to a very considerable extent. We have been bringing to the notice of Government since the establishment of this Council, on various occasions, that a great loss of valuable trees, and the realisation of the money from one and all of these trees in the forests, were being suffered by the Cochin Government, by means of these tenders and by means of the secret negotiations, whereby timber have been sold for a long time in the Cochin Forest Department. It has been abundantly brought out and very pointedly pointed that valuable timber, like rosewood, have been sold below 14 *vannams* as toplings for Rs. 10 per candy, above 14 *vannams*, between prices ranging from Rs. 18—42. Imagine, Sir, when you have sold under these contracts the amount of money that has been lost to the State. Nearly, 7,000 candies of rosewood have passed through this arrangement; double loss of revenue takes place. When toplings are brought by the Tramway, you pay half the charges for the timber. Anything beyond 8 *vannams* are in the market timber but in the Forest Department of the Cochin State, it was topling. We lost half the freight by the Tramway in that way. Then imagine, Sir, when contractors contract and by private negotiations and tender that they would accept Hill Depot measurement and go with their eyes open into such contracts, then when they come down to the plain, they go secretly beyond the Head of the Department to the Diwan, and as has been told by the Diwan more than 50 per cent of the Hill measurement is obliterated from the list. So that the amount becomes much less. When 7,000 candies of rosewood was sold at Rs. 30 on the average you get Rs. 2,10,000, and had the same timber been brought down to the plain, on the resolution of the House that "*all timber shall be sold hereafter only by public auction*" and when they were brought to Chalakkudi accordingly and auctioned we have got facts to-day, that every candy of rosewood fetched Rs. 62, the least, and Rs. 80 to 100 and even 125 per candy. What amount of money went, therefore, away from the coffers of the State can be realised. At that rate you take on the average Rs. 2 or 3 lakhs nearly is the loss on 7,000 candies transaction.

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Lakhs and lakhs of rupees have been lost to the Cochin State. The money lost to the Cochin State, the poor people have got to make good by additional revenue. If you exploit the forest well, and if you are getting ample revenue from the forests, perhaps it would have been an easy situation for the Hon'ble Member for Excise to come here and say 'I can reduce the abkari revenue or tax.' You can say good-bye to some of these revenues ,and we can do away with vicious Excise Revenue. What is the Government attitude in Excise? Whatever you may say characterise us we must carry on the Government, we have not got any other means if we lose Excise Revenue. That is the kind of argument you are advancing; at the same time you shut your eyes. I do not cast any reflection or any bad words upon any one, whatever might have been done in the past, let us not cry over it. We are prepared to put a veil on the top of them all. We want hereafter at least to be guarded. What is this tender? When you invite tenders, your argument is we put and wait for a good opportunity. Very good. What is the result of your auction? You get at a particular figure. Then you say you cannot sell them at that figure. Very good. Don't sell them. Why invite tenders? When inviting tenders what is the guarantee that it will not go down? Why not mention in the auction sale that we will not sell below a particular rate?

Why not you say this is the upset price below which price you will not sell? Why not mention your figures in your notification of the auction sale? I was present at the previous auction sale regarding some quantity of timber and the Government fixed rupees 11,050 for this timber as the upset price. They began the auction from Rs. 11,050 and, if I am wrong the Hon'ble Member for Forests will kindly contradict me, the bid was for Rs. 11,150 and there it stopped. I do not see either the Secretary to the Diwan here, nor anybody who can speak for the Diwan. Otherwise, I would have asked a question what was the result of that auction? What was the recommendation that was made by the Conservator of Forests to the Diwan with reference to that auction? Did he write to the Diwan to say that the auction should be confirmed or did he write to the Diwan to say that the auction should be cancelled? There was the bid and there was the earnest money. I await that information. Whether they give it or not I shall assume one way or the other. I wish to know, Sir, if he recommended that sale. Then I say there is no justification for this tender. If he did not recommend that sale in auction, then alss I say there is no justification for this tender. Because it was his duty to tell the Government that for this timber the market price would be so much. You must make a margin to the people to make a little money. What that margin is all the wide experience of the

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forests and the long dealing in timber should have taught him. He should have said, 'unless we get such and such a price we shall not sell'. When you ask for tender what is the justification that you would accept this, that or the other tender? Now, he may come down and say the Hon'ble Member who comes forward to make this motion was himself the vakil of an applicant for this timber. I am prepared to lay that fact open in this House. As a result of the auction the Hon'ble Member got 11,150 rupees. Knowing that in auction only Rs. 11,150 came as the price, I offered on behalf of my client to pay the Government Rs. 500 more. I said, I will give 500 rupees more than the auction bid in which he got only Rs. 100 above the upset price. After he got that, for what reason or other, here comes the reply. "Come on, there is a tender, come and tender." How are we to know what is tendered, how are we to know who got the timber? Is it not opening a room for favouritism again? What is our charge here against the Forest Department? It is, that they have given away the valuable timber of our forests for Rs. 18 and 20 to favourites. That was the charge that we laid, and that is the reason why we do not want any favouritism or any show of favouritism or any room for favouritism. Public tender means you can show favouritism. You are not bound to make people know what has been tendered, you may not accept the biggest tender, you may not accept the lowest tender, you may even refuse all the tenders. Then how are we to know, how is the public to know? Therefore, I say, if the Government wants better price for their forest produce, let them fix their own price and say 'without getting this price we shall not sell it.' Now by tender, what is the guarantee that you will get the amount that you fix? You may get it; you may not get it. If you do not get it, you may turn down and say this is the best that we can get under the circumstances now. Now we shall accept this tender. That will be going by the back-door. We do not want these back-door arrangements to continue. We have understood enough and more and we have got more and more reasons to point out black-marks in the Department. But we do not want to do so. We are prepared to forego the past. Imagine: Just before the last tender for 3,800 candies of rose-wood was accepted there was an agitation. There was a petition to the Diwan and we said don't push the sale for 20 days. They said we cannot wait for the same even for 20 days because the revenue of the year has to be made up. How much would we have got if they had waited for 2 months by bringing it to Chalakkudi? You would have got treble the price. Now instead of waiting for 2 months or six months to bring the timber and reaping double the price you bartered away our valuable trees of

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our forests for this small sum of money. And in answer to a question of the Deputy President to-day, you say from the Choolai Depot also nearly 1,000 candies and odd have been cut down. What is the meaning of this ? Therefore, I pray, Sir, that this House will put its emphatic opinion once again, as it has already done during the Budget Session, that tenders shall not be called for and that the price that the Government wants for the timber and for which alone the timber will be sold may be known publicly and people asked to say whether they will pay more than that. Otherwise there is no justification for this notification. And, therefore, I submit this House would unanimously carry this adjournment motion on the point that all the timber shall hereafter be sold in public auction in the plains and that well allotted. Sir, I attended the last timber sale at Chalakkudi. All the timber was lying here, there and everywhere and persons could not find the consecutive numbers of the timber If the logs were arranged a little more carefully, of course some money for coolies will have to be spent, the result would be much better and people who come to buy timber would have a better opportunity of inspecting them. I have seen this timber sale in Travancore at Vettikad. I have gone there myself. There the timber is beautifully arranged and everybody can inspect the timber lot by lot, five pieces of timber kept in one place, five pieces in another place. You can see the measurement, you can see the number and you can inspect the timber fully well. The whole thing is in view, whereas in Chalakkudi it was a muddle. People cannot find what they want. After No. 26, came No. 67 and then comes No. 17 somewhere else. Therefore, if these logs are well placed and we give these facilities to the public, our forest will fetch us much more than they are doing to-day. Therefore, it is, Sir, that I have tabled this motion. I have absolutely no other reason for tabling this motion. I only look to the revenue of the Government, which if it is increased will benefit the people in diverse ways, by giving more money for our Educational Department, by giving more money for our road, etc. Therefore, in all ways the Government and the people will be benefitted—Government cannot be benefitted because they do not take the money, but if the people are benefitted by being given facilities to the people of the different localities the burden of Government will become easy. It is only on these grounds that all our valuable timber should be sold in public auction that the proper price the Government wants should be put down as the upset price and that the auction should be in the plains that I have tabled this adjournment motion.

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Mr. P. Krishna Menon.—Sir, I should like to add a few words by way of supporting the motion on certain definite points. It was assumed, more or less, during the Budget Session, that the sale of timber would thereafter be in the plains and by public auction. Whether that state of affairs was brought about by a cut motion being carried and accepted by the Council or as a result of a general discussion on the subject it is not pertinent to my position. It was at any rate demonstrated almost to a certainty that the sale by public auction in the plains would, in addition to being more profitable, at least clear the cloud which still then had been hanging over the Departmental Head. Because nobody seems to have been satisfied with these private sales in the darkness of the forests concerned Therefore, though it was not technically assented to and accepted by the Government, I would say it was understood by the House as a whole that it would thereafter be by public auction in the plains and not by tenders. Now I have sufficient confidence in the Departmental Head that he, having effected, if my information is correct, three or four auction sales, would not have condescended to call for tenders without sufficient reasons. And if there are sufficient reasons, it need not have been brought forward in the shape of an adjournment motion to be discussed in this House in this manner. If there were reasons, which I am sure there would be, they would have sufficiently explained the method adopted by the Hon'ble Member for Forests, and if we find that he had sufficient reasons for doing this, all this fury upon this resolution becomes unnecessary. Therefore, I would request the Hon'ble Member for Forests to explain the circumstances under which he came to call for tenders when as a matter of fact he had effected three or four auction sales to the extreme benefit of the Government and the Department concerned. If the figures that I have received are reliable figures, I should think that nearly cent per cent difference was noticed in the auction prices. (*Hear, hear.*) Therefore, as I said before, he would not have taken the step that he has taken and I am sure, if the explanation is satisfactory, the Hon'ble Member will not press the motion. Therefore, in that hope, I request the Hon'ble Member for Forests to explain the circumstances under which he came to advertise for tenders.

Mr. K. Govinda Menon.—Sir, it was during the last Budget Session that a token motion was carried to the effect that all sales of forest produce thereafter should be in the plains and by public auction alone. I was then on leave and when I returned I started correspondence with the Government saying that in *the Coae* it is laid down three kinds of sale, namely, auction, tender and private negotiation, and also the fact of this

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cut motion having been carried in the Council and what step I should take. Then I was told that I need not stick to this alone and I can go on according to *the Code*. But I said that to respect the motion carried by the Council I will always hold auction first and if I fail I will resort to other means. That was how the tender came. Again this year three auctions were held after that; the first one was in Thulam. That was a very good success. The second is the one referred to by the Member for Jews and in the motion standing before us. That was a hopeless failure. There was a combination of bidders there.

Mr. A. B. Salem.—What was the price fetched?

Mr. K. Govinda Menon.—Hundred rupees more than the upset price. After that, on the third day, I recommended to the Diwan not to accept the sale but to allow me to call for tenders. In the meanwhile the Hon'ble Member for Jews, as he himself admitted, in the capacity of a Vakil, went before the Diwan and said that he would give 500 rupees more. That is a private negotiation. I said that tenders have already been invited and the petitioner may be informed of the fact. He now insists to-day that everything should be done by public auction and at the same time he goes as a Vakil and carries on private negotiation.

Mr. A. B. Salem.—I gave you more price than what you got in the auction.

Mr. K. Govinda Menon.—I have an offer for 12,500 now. I am not accepting it. I know I will get more. Unless I get the price I think I should get I am not going to accept it. As I told you there were 3 sales this year, one was a success, the other a hopeless failure and the other a partial failure.

Mr. K. P. Kannan Nayar.—Will you give us more details?

Mr. K. Govinda Menon.—Details are given, the logs can be seen in the depots, all these sales are held in the plains in the Chalakkudi Depot except the standing growth in Kurisumudi.

Mr. K. P. Kannan Nayar.—I wanted the particulars with reference to the sales, that is to say, first sale, so many logs, so many candies, etc.

Mr. K. Govinda Menon.—I have not the figures now with me. The second one was a very bad failure and the third one partially good. On account of the failure I got sanction to invite tenders. Only after it is seen that auction is a failure that I go for tender. Otherwise I do not recommend for tender.

The Jewish Member remarked that the logs in the Depot are all heaped up. It is a thing I am really sorry I cannot mend.

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Once I hold a sale, and the sale does not go through, I have to advertise a resale about 25 days afterwards. In the meanwhile about 14 or 15 logs come down from the hills daily. The place for unloading is about an acre or so. If the first sale is a success everything can be seen neatly arranged. Anyhow I am now taking steps for some more room for unloading in another place in Chalakkudi. The Jewish Member, when he came to Chalakkudi on the last auction day, asked me about this tender on which he offered 500 rupees more. He said why I don't re-sell. Suppose there is a resale by auction, how many times am I going to do so? He wanted always re-auction and that is always combination, and Government will suffer. As regards accommodation it is not like Varapuzha a water depot, it is a land depot. You cannot stop your tram any day. It is the difficulty that I feel. We cannot have it in Ernakulam where we have got a water depot. Moreover I do not wish to bring anything to Ernakulam now. More than half the timber goes to the other side of Chalakkudi and so if you bring it to Ernakulam we spend money on it and the public also will have to spend money on it and we do not gain anything by it.

In *the Forest Code* three ways are expressed, either by tender or auction or private negotiation whichever is most advantageous to the Government for the time being. We do not tie ourselves to any method. If one is to be found bad, we resort to the other one and then we resort to the third one and even then we won't sell it until we get the price we fix.

The Jewish Member said that auction is always likely to get better price. Four years ago I held an auction in teak and it fetched 35 rupees. I did not sell it. I invited tenders and I got 55 rupees. That is a standing example to show whether auction is always better or not. Three years ago I had an auction here at Ernakulam. There were 19 bidders, all-joined; after the bid was over they had a bid among themselves and they had some disharmony. The bid was for Rs. 11. I knew about all this. Some days after the sale I began to negotiate. There was no use of tender also. Because that timber won't be sold locally. It must go outside. I got one man from Cochin and he offered Rs. 13/8. The bid amount was only 11 rupees.

The Jewish Member said something about 8 *vannams* and 12 *vannams* as regards toplings. Up-to-date I have not seen any book which gives that stipulation. What is a topling and what is a log? The definition of topling is 'that portion of a tree beyond the first big branch'. That portion below the first branch is the log. That is the definition I know of. I would like the Hon'ble Member to show me the book which would enlighten us

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on the subject. I don't know how he says that all those with 8 *vannams* are toplings.

Deputy President.—I think the Forest Member said here on a former occasion that all trees below 14 *vannams* are toplings.

Mr. A. B. Salem.—It was stated here definitely that according to Tramway Rules all below 14 *vannams* are treated as toplings.

Mr. K. Govinda Menon.—It is a mistake. As I said there is no other definition. That portion of a tree below the first big branch is treated as log and that portion above the first big branch is treated as topling.

Mr. A. B. Salem.—I would like to know from the Hon'ble Member what the recommendation that he made to the Government was, after that auction.

Mr. K. Govinda Menon.—I said it should not be confirmed because the amount fetched was not satisfactory to me. Two days after that I got this petition presented by the Member for Jews stating that on behalf of his client he was prepared to give Rs. 500 more. That was 2 days after the sale. I then solicited orders to invite tenders and it was allowed.

Mr. A. B. Salem.—Was the recommendation to accept the auction price or not?

Mr. K. Govinda Menon.—I requested the Diwan not to accept the auction sale.

Mr. C. Barton Wright.—May I ask one question? What is the quarter girth of a tree considered mature? You have to pay for royalty for certain trees in private lands. What is the quarter girth of a tree that is considered mature?

Mr. K. Govinda Menon.—Up to 4 *vannams*.

Mr. C. Barton Wright.—The Assistant Conservator said last time that it will be a few inches. Well, 4 *vannams* will come to how many inches?

Mr. K. Govinda Menon.—4 *vannams* will be about 18 or 19 inches girth.

Mr. C. Barton Wright.—That is sold as a mature tree?

Mr. K. Govinda Menon.—But the topling portion is used as fire-wood. I don't say that 18 inches tree is taken as a tree. Only money is received. We sell it in auction and there in auction it is said, so much timber, so much topling and so much fire-wood.

Mr. C. Barton Wright.—But the Government levy a tax.

Mr. K. Govinda Menon.—We don't.

Mr. C. Barton Wright.—Once you did.

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Mr. K. Govinda Menon.—No. As regards auction each growth is independently valued.

Mr. C. J. Mathew.—May I know what is the objection in adopting the Travancore system here?

Mr. K. Govinda Menon.—I do not think it is possible in view of the fact that we have got the Tramway here.

Mr. A. B. Salem.—May I know what is meant by upset price?

Mr. K. Govinda Menon.—Upset price is the price at which I begin to bid.

Mr. A. B. Salem.—What is the circumstance, in the way of the Government saying that unless the price fetched in the auction is so much, no sale will be made? Now we don't know what is the price that the Government want. Now suppose somebody says Mr. Salem offered Rs. 500 more; I shall give Re. 1 more. Are you to accept it?

Mr. K. Govinda Menon.—I won't tell you. I am very sorry I won't tell you that.

Mr. A. B. Salem.—Everywhere it is done. If you go to a shop to buy an article the shop-keeper will tell you that, unless you pay so much, you can't have the thing. You don't tell us what is the minimum price you want. Now in this case, you have called for tenders. Suppose the tender also fetches you only this price. What are you going to do? You don't say, if the price tendered is not beyond so much, you won't accept it. So what is the guarantee? We have seen how Mr. Mooga Sait's tender was accepted.

Mr. K. Govinda Menon.—The reasonable rate that I should get will, under the rules, be recorded by me in my file. If it comes to that, I will recommend that it may be confirmed. If that does not come, I won't recommend. I am very sorry I can't give it out.

Mr. A. B. Salem.—Why can't you say that, unless you get your reasonable price, you won't sell it? Why can't you let that fact be known to the public?

Mr. C. Barton Wright.—There may be a party who may come forward and pay more than that. I think the Hon'ble Member for Jews is wrong in asking that. That is a private matter. I think he is quite wrong. I think the Member for Forests is quite right.

Mr. K. P. Kannan Nayar.—Sir, now the motion that has been tabled is "*in view of the fact that this House has accepted a cut motion with reference to this matter, that motion being that no more sales shall be otherwise than by public auction, the sale of timber by means of inviting tenders should not*

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be allowed". That seems to be the motion that is brought forward now also. I think when we tabled that motion last time our object was to see that the best price was obtained from the sale of our timber. That was the object. If that is the object with which this motion also is brought here, I perfectly agree. Now, from the remarks made by the Hon'ble Member for Forests we have got certain facts here. The very same timber for which tenders are now being called, he tells us, was offered for sale by public auction. The upset price, that is the price from which the auction will begin, which he fixed was Rs. 11,050. At the time of the auction he tells us that the price that was offered at the auction was Rs. 100 more and he refused to have the sale confirmed and he made such a recommendation to the Diwan. Soon after that, he tells us, and I think the mover of this resolution also admitted, that there was an offer some two days afterwards of Rs. 500 more for the very same timber. In the face of these facts he also tells us that even in this tender unless he gets the amount that he has in view and which he has recorded in his private file he is not going to accept the tender and recommend the tender. for acceptance. I do not think he is going to accept the highest tender unless it comes to that. If that is so, I really cannot understand where the objection is. Our object is to see that the best price is obtained,and if the Conservator of Forests understands that in a public auction if there is going to be a ring or combination and that combination is going to defeat the Government, it is certainaly the duty of the Government to see that the combination does not succeed. That is, Government must see that the best price is obtained somehow or other whether it is by public auction or whether it is by tender or whether it is by any other means. If that is the object with which this tender has been called, I do not think anybody can take any exception to it, so far as our main object is to obtain the best price by the sale of our timber. Now the facts disclosed show that there has been a combination here and that combination of traders wants to defeat the Government. How can the Government get over that? The Hon'ble the Jewish Member was saying 'put the same thing again for public auction.' Suppose the same state of things should continue. The Member may demand it for another Rs. 150 more and there will be an auction and there will be a refusal to have the sale confirmed and probably the same trader may engage the same Jewish Member and he may go privately and negotiate for another Rs. 600 more. Is the Government to countenance all these things? (*Hear, hear*). How long is the Government to

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wait? Now, it is the very same timber that was offered for sale. If the people were earnest, if they were sincere and if they wanted to take it for the best price, they could have offered the best price at the auction itself. Now we find here, as a matter of fact, that in this particular matter of the sale by auction, the Government's object was going to be defeated and, therefore, I do not think, so far as this notification is concerned, there was anything wrong done by the Government, and when there is an assurance from the Conservator himself that so far as this tender is concerned unless it comes to the price he has recorded in his private file he won't sell it, I don't see the reason why we should view the matter otherwise.

Mr. A. B. Salem.—How are we to know that the price offered is more? What is the guarantee?

Mr. K. P. Kannan Nayar.—The difficulty in giving out that figure is, sometimes Government might be making themselves fools by giving out the price. There may be a tenderer who may give more. So if the Government gives the approximate amount that they want, sometimes Government may be making a huge mistake. There is always some danger. Probably the Government may not get the best tender also. So far as the general policyis concerned, I do not think there is any objection and so far as the motion is concerned I really cannot understand, in the face of the facts that are placed before us by the Government, how the Government can be condemned in this particular matter. This is my opinion. I oppose the motion.

Mr. C. J. Mathew.—I rise to endorse every word of what the Hon'ble Member for Vellarappalli said just now. I am as much interested as the Hon'ble Member for Jews in seeing that our timber fetches the *best* price possible. I am quite aware of the great loss the State have sustained in the past, by the sale of timber by private negotiation. I am not, therefore, opposed to the idea of selling timber by public auction. Nay, if I remember right, it was I who pressed the motion before this House during the last Budget Session, insisting that every sale of timber must be by public auction only.

Since then, two such sales have already taken place in my constituency. The results are simply brilliant. The prices of teak and rose-wood have gone unimaginably high and I am sure our good Conservator must be now regretting over the sales he conducted by private negotiation to Messrs. Muga Sait, Nemberumal Chetty and others. The results of the public auction have more than justified our demand in this direction. So far it is quite good.

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Now, let us look round and see whether we should be parties in defrauding the Government. When it came to the stage of the second sale by public auction, what happened ? The bidders combined among themselves, formed into an unholy compact and refused to bid teak-wood for anything near a reasonable price, with the result that the Conservator of Forests was forced to cancel the sale. If the Conservator, is therefore, put into a water-tight compartment and given no option except to sell timber by public auction only, the unholy compact of the bidders will stand to gain, just like the favoured set of contractors before. That ought not to be. We should always try every method, every means, to realise the biggest price available.

It is, therefore, best that we should not insist upon the sale of timber by public auction, *as the only method* left open to the Conservator. On the other hand, let us insist that there should be a sale by public auction, in every case, *first*, and only where a public auction is a failure, other methods shall be resorted to by the Conservator. If our goal is to fetch the best price at all instances, I fail to see why the Conservator should not be allowed to call for tenders, in a case where the auction sale has proved a failure.

Therefore, there must be no hard-and-fast rule forcing the hand of the Conservator from which he could not deviate at all. One objection against the system of calling for tenders levelled against the Conservator of Forests is that he could favour a few individuals. This is not a weighty objection at all. Favouritism may come in, if tenders are called for constructing certain works. The favoured contractor may be given the work on the ground he is better able to do it and so on. But, here it is a case of offering prices by tender. If a certain man gives a tender to purchase a piece of timber for a certain reasonable price, how can the Conservator show favouritism to another man who has offered a lesser price?

It is left for the man who is offering a bigger price to expose the Conservator and point to the Government that he sold the timber away to the man, who offered the lesser price ;therefore in the case of sale by tender, there is very little chance to favour any private individual. And if the Conservator makes it a point to try first the method of public auction in every case and only wherever it fails, try to adopt the tender system, he is sure to get the best price. In the particular case before us the Conservator has done so in the best interests of the Government. I, therefore, do not see eye to eye with the Member for Jews why this motion should have been brought before the House to-day. This is not the place to make personal fights. The Conservator has done everything he can and I, therefore, strongly oppose the motion.

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Mr. A. Eachara Menon.—I should like to know from the Conservator of Forests whether he opens the tenders the presence of the tenderers.

Mr. K. Govinda Menon.—Before all those who are present.

Mr. A. B. Salem.—I shall tell you something when I get up again.

Mr. K. Gvoinda Menon.—Only when auction fails, I resort to this.

Mr. P. Krishna Menon.—I am afraid we are not very clear about the subject we are discussing. Because the notification referred to in the adjournment motion refers to tenders invited for *felling* and *removal* on seigniorage. That is the standing timber and our resolution was about the felled timber brought to the plains. What has this to do with those brought to sale?

Mr. T. K. Krishna Menon.—I submit that the question may asked to by the mover. Which is the motion here? Is it about the notification?

Deputy President.—He did not refer to it.

Mr. P. Krishna Menon.—I do not know. For the deviation in the procedure I thought that there would be some reason on the assumption that the procedure is deviated in the matter of auction in the plains. But as a matter of fact we find this has absolutely no reference.

Mr. K. P. Kannan Nayar.—He referred to it.

Mr. P. Krishna Menon.—Of course I can understand the criticisms so far as the notifications are concerned. If they are sold on this seigniorage system in the hills, there will be no sale in the plains. What really the Hon'ble Member for Forests has to answer for is, why he called these tenders. Of course for felling and removing, tenders might have been called, but its removal on seigniorage, which deprives him of the opportunity of bringing down all the timber to the plains and selling by public auction, is a wrong step which he has taken. With regard to the general condemnation of calling for tenders, instead of auctioning in the plains, it has no reference whatsoever. When standing trees are sold in the forests where is the opportunity of bringing them to the plains and selling them by public auction?

Deputy President.—It is only in the case of trees in the plains.

Mr. P. Krishna Menon.—If, instead of the Department felling and removing to the plains, they are trying to sell in the forests on seigniorage system, which is the practice which is objected to, all this argument is nothing.

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Mr. C. Barton Wright.—We are discussing about felling.

Mr. P. Krishna Menon.—Therefore, the point really involved in this notification is the attempt to sell timber in forests instead of bringing down to the plains under departmental expenditure.

Mr. V. D. Ouseph.—So you withdraw all your previous speech?

Mr. P. Krishna Menon.—I know what I spoke. My speech is relevant. It is only the criticism. I supported the point that it should be on the plains, which will apply but not the motion.

Deputy President.—What is your reply to that?

Mr. K. Govinda Menon.—We sell timber both in Depot and standing trees on seigniorage. Whatever sales we hold, we hold auction; whatever trees are sold, whether it is seigniorage or departmental depot sale. It is first notified for auction when sale fails.

Deputy President.—Why should it be notified?

Mr. K. Govinda Menon.—No money this year to extract. Certainly they should be sold on seigniorage, till the whole timber is sold. We are reducing every year the extent of the area.

Mr. P. Krishna Menon.—It is only by way of information, one word. I believe, I have understood him correctly if the Hon'ble Member resorted to this procedure for want of money. Is that so?

Mr. K. Govinda Menon.—The extraction of this quantity of timber is not budgetted for. The revenue is budgetted but not the expenditure. Every year a certain amount is budgetted for depot sale and seigniorage sale. Seigniorage sale is something on which we don't spend anything.

Mr. P. Krishna Menon.—Your authority for the publication is the practice of sale on seigniorage. There it is that the principle is violated.

Deputy President.—You want that to be stopped.

Mr. P. Krishna Menon.—That is the principle we insisted upon. This sale in the darkness of forests is what we want to prevent.

Mr. Thomas Manjuran.—That is not the point.

Mr. P. Krishna Menon.—Have a reference to the notification.

Mr. Thomas Manjuran.—That is not the point of the adjournment motion. The reference to the notification has nothing to do. What is in the notification? Tenders were

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invited for felling and removing on seigniorage. So far as I can see from the adjournment motion I can see nothing.

Mr. K. Govinda Menon.—The adjournment motion refers only to the mode of sale.

Mr. Thomas Manjuran.—You are objecting to the seigniorage sale. Are we now discussing the principle of seigniorage sale and that alone ?

Deputy President.—Yes.

Mr. V. D. Ouseph.—He violated that.

Mr. Thomas Manjuran.—That is another matter. The mover's question is the principle involved by selling on seigniorage.

Mr. K. P. Kannan Nayar.—Anyhow he did not say that.

Mr. Thomas Manjuran.—I cannot understand· That is a different matter altogether.

Mr. K. Mohamed Seethi.—The motion is correctly worded.

Mr. V. D. Ouseph.—The motion is perfectly correct. The speech is also correct.

Deputy President.—The mover says: "*For the purpose of discussing the notification in the last Gazette of Saturday 23rd Vrischigam 1104 regarding the sale and removal of timber by the Forest Department and calling for tenders in direct contravention to the decision of the Council*". That is the point.

Mr. Thomas Manjuran.—No, no. The objection is to the tendering system and not to the seigniorage system and the Member in charge of the Forests was all along replying, I think, to the tendering system. Not a word about the seigniorage system. We will start the discussion over again.

Mr. T. K. Krishna Menon.—Let us understand the resolution, Sir, and then let the discussion be begun again.

Deputy President.—Better bring another resolution.

Mr. Thomas Manjuran.—I don't think this resolution will serve any purpose. I think the Hon'ble Member for Irinjalakkuda has misunderstood also.

Mr. V. D. Ouseph.—What is objected to is the violation of the principle passed in this House and accepted by the Government, namely, that the trees should be cut and brought into the plains and there sold in auction. Instead of that what is being done is that they are sold in the forests themselves. And what the House thought was that by doing so every year, in previous years also, there has been much scope for mischief, that is to say, Government not getting proper price because of the negligence of the Department or by actual desire to let things go by favouritism. Whatever that be, all that we wanted

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was that timber should be cut and brought to the plains and sold there by public auction and that principle has been violated by this notification. It is only where a sale by auctioning fails, tenders will have to be called and that is a different matter. Here what was done is no opportunity was given for bringing the thing to the plains and being sold. Now I ask whether the Government still thinks that the Government did not accept that principle. Then only we can consider whether it is a violation of the policy accepted by the Government.

Deputy President.—They cannot always sell by public auction.

Mr. V. D. Ouseph.—Whether the principle that the trees must be cut and brought to the plains and there sold by public auction has been accepted by the Government.

Deputy President.—What is the Government's position?

Mr. K. Govinda Menon.—What I understood by the cut motion was that it refers only to the timber brought by the Tramway.

Mr. V. D. Ouseph.—It must be brought to the plains and then sold.

Deputy President.—In this adjournment motion there is no reference to the place of sale.

Mr. A. B. Salem.—What I mean you have understood. If you want to misunderstand, I have no objection. It is not my fault. Sell it for a song.

Mr. K. Govinda Menon.—For the last 15 or 20 years, no departmental work used to be carried on anywhere in forests and no tramway timber was brought to the plains. In all other places we were selling on seigniorage system and it is being gradually reduced. So the cut motion, I understood, only referred to that.

Mr. V. D. Ouseph.—May I know on a point of information whether the Government has accepted that motion, that is to say, that the sale should always be by auction after the timber is brought to the plains? There was a cut motion that timber was sold in cotravention to the policy accepted by the Government. This notification will be a violation only if you had accepted that policy. There seems to be some sort of confusion. At any rate there has been a lot of complaint against the methods of the Forest Department and the earlier the whole thing is mended the better. With these words, I support the motion.

Mr. M. K. Raman.—Sir, I am very sorry to oppose a resolution that is brought here by the Member for Jews with whom on several occasions I have had the honour to agree. But unfortu-

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nately on account of the peculiar wording of this resolution, the Jewish Member, I am afraid, has landed us in some difficulty and I cannot find my position to support it. Evidently in the resolution that is tabled the objection raised is regarding the sale and removal of timber by means of tender in direct contravention to the decision of this Council. His attention was bestowed to the mode of selling by tender, nothing about the removal of the trees from the forests or about the sale in the forest or in the plains. The place of sale was not in his mind at all. Now from the arguments adduced by the Member for Forests, we find that he has attempted every possible method. He has tried to sell by public auction and when people combined together and formed a ring to defeat Government, he also rose equal to the occasion and he wrote to the Government not to accept that auction sale of the highest bidder. He calls for tender now. Again there is no guarantee that even this tender would be accepted by the Government. Suppose the Government finds that they do not get a proper offer, it may be again put up for auction. With regard to the mode of selling of this particular timber there is nothing objectionable and I am sorry the learned Member has pitched upon an unfortunate incident that I find my position unable to support him.

Mr. Thomas Manjuran.—What is the incident ?

Deputy President.—May we close the discussion?

Diwan Bahadur Dr. V. Verghese.—I shall offer a few remarks with reference to my experience as to the disposal of markets, cart stands by auctioning which is in vogue in the Sanitary Department, and I think it is pertinent to the trend of the remarks which have been made on this question. The principle was enunciated that the best price will be obtained by public auction, at any rate, some stress seems to be laid upon that mode of disposal of Government articles to fetch the best price. Well, from year to year I have been auctioning markets and I have met on several occasions a ring by which Government revenue was reduced. Well then the other loophole left to me is, when I find that deliberate attempt is made to force the hands of the Government to yield to the combination of the people of the locality, I refuse, and always address the Government not to accept the auction and permit me to call for tenders. And I have invariably obtained high prices by calling for tenders after all. Every year I have met with instances like that. So that if the Member for Forests has adopted that procedure, I think that procedure has been right in the best interests of the Government. No case has been brought forward that by calling for tender any loss has been caused to Government.

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Mr. A. B. Salem.—Did we not? Certainly, Sir. In 1102 by calling tenders you gave 3,800 candies of timber for a song. The smallest price was Rs. 62.

Mr. A. Eachara Menon.—What was the market price?

Mr. K. Govinda Menon.—The market price was Rs. 45 per ton. Tenders were invited. It was at the time of Diwan Mr. Narayana Menon. Mr. Louis came forward and he wanted 500 candies at Rs. 25 or 30. Another gentleman said I will take the whole lot for Rs. 2 less. This gentleman wanted only 500. If he took only 500 what are we going to do with the rest? For private sale nobody came.

Mr. A. B. Salem.—Did you attempt public sale?

Mr. K. Govinda Menon.—No public sale was attempted.

Deputy President.—Nobody will come even if attempted.

Mr. K. Govinda Menon.—In the meanwhile the whole thing will go to dogs. 800 candies were rotten timber. That is the reason why 3,000 candies were sold as allowance.

Mr. P. Krishna Menon.—It is only by way of information. It is these two little words 'on seigniorage' that have created all this mischief. It is perfectly right for felling and removal but when it is on seigniorage the sale is there.

Deputy President.—That is not the subject matter.

Mr. A. B. Salem.— The whole notification is the subject matter. Not a word. If you cannot understand, I am not prepared to teach here.

Mr. K. P. Kannan Nayar.—That is our difficulty also.

Mr. A. B. Salem.—All enlightenment must be outside the Council, not inside.

Deputy President.—Anybody else?

Mr. A. B. Salem.—From the words 'in contravention to the decision of the House' it is meant that no seigniorage should be made. If you cannot understand, am I to repeat everything every time? Is it possible?

Mr. T. K. Krishna Menon.—One word. The cut motion that was referred to by more than one during the course of this discussion was a token motion intended to draw the attention of the Government to the necessity of selling timber by public auction. There is in it no reference to seigniorage and, until the Member for Vyttila hinted about it, nobody knew that that motion had anything to do with seigniorage. And the adjournment motion does not direct our attention to that. So that, there are two questions here. Is it about public auction that objection is taken or is it about seigniorage? That is the important point.

Mr. A. B. Salem.—I take exception to both.

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Mr. T. K. Krishna Menon.—The Member for the Jews can take exception to both or to all or to none. It is not our business. The question before the House is only the question of public tender, and that has been sufficiently and satisfactorily answered by the Member for Forests. With regard to the question of seigniorage, he may have an answer for adopting that system in preference to any other when that question come up for a discussion here. May be, for aught I know, the timber is not good and it is not possible for the Government to sell it for a profitable price. My humble submission is that the only question now before the House is with regard to the question of public tender and nothing with regard to seigniorage. One point more. In the course of the speech, the Member for the Jews said that the object of this adjournment motion was to reiterate the resolution passed in the Budget Session. There I raise a point of order. In the morning, it was simply pointed out that the motion had only reference to a particular notification in the Gazette, and not to the reiteration of the resolution passed in the last Budget Session. Under Rules 35 and 19 (5), this question cannot come up before this House.

Deputy President.—That has been already ruled in the morning.

Mr. T. K. Krishna Menon.—This point was not brought to the notice of the President.

Mr. A. B. Salem.—Of course I have got a right of reply.

Mr. T. K. Krishna Menon.—I do not think so.

Mr. A. B. Salem.—You see the rule. If you close the discussion, I have got a right of reply.

Mr. T. K. Krishna Menon.—It is an adjournment motion and he has not got a right of reply.

Mr. A. B. Salem.—It is impossible if I have not got a right of reply.

Mr. T. K. Krishna Menon.—An adjournment motion is not like other motions, and if you want it, I shall show you Parliamentary authority.

Mr. A. B. Salem.—Sir, Order 23 "Order of speeches and right of reply".

"*A member who has moved a motion may speak again by way of reply and if the motion is moved by a non-official Member, the official Member in charge of the Department to which the matter relates, shall after the mover has replied, have the right of speaking whether he has previously spoken in the debate or not*".

"*Provided that nothing in this sub-order shall be deemed to give any right of reply to the mover of an amendment to a Bill or to a resolution save with the permission of the President*".

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My learned friend tells me that I have no right of reply.

Mr. M. K. Raman.—Adjournment motion is a motion.

Mr. T. K. Krishna Menon.—Adjournment motion is not like other motions. I have sent for the book.

Mr. A. B. Salem.—Where is the authority of the Secretary? We have wasted 5 minutes of our valuable time.

Deputy President.—Wait.

Mr. A. B. Salem.—We don't want to lose time in hunting up for peons. There are other resolutions.

Mr. M. K. Raman.—It has been the precedent also.

Mr. A. B. Salem.—How is it in the face of this rule 23 (3)?

Deputy President.—This I know.

Mr. Thomas Manjuran.—Obey the President.

Deputy President.—Here is the authority. 'A B C of Parliamentary Procedure'.

Mr. A. B. Salem.—That is not our authority. Our authority is the Council Rules and Regulations. I am not going to look into the A B C of it.

Deputy President.—The provisions are exactly similar.

Mr. Thomas Manjuran.—What is that?

Deputy President.—A mover is not to discuss on the same motion. These are the restrictions. The mover has no right of reply. That is only in the case of adjournment motions.

Mr. Thomas Manjuran.—Why is it not included in our Regulation?

Mr. V. D. Ouseph.—The Secretary is responsible for that.

Mr. A. B. Salem.—A B C of Parliamentary Procedure written by A B C, that is the authority. I consider it to be quite out of place to have it quoted here. No other authority will be binding upon us in the face of our Standing Orders. Where there are no Standing Orders, we may look for procedure elsewhere. It is clearly put here, where the right of reply is taken away. In all other cases there is a right of reply.

Deputy President.—I rule that he has a right.

Mr. A. B. Salem.—Sir, I have heard the discussion and the pros and cons of the proposition that I have tabled. I have tabled this adjournment motion for the purpose of bringing to notice that tenders, in the Forest Department particularly, have been very unfortunate in its history, and that tenders in that Department should never be called, and also it is quite practicable. I shall tell you how it is practicable. The objection that is given now, for not abolishing that system of tender, is that it is not always possible to get the best price by means of auction. It may be the Chief Medical and Sanitary Officer's experience, that, by auctioning markets, he is not getting good price.

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Diwan Bahadur Dr. V. Verghese.—Not always, but sometimes.

Mr. A. B. Salem.—It may be the experience of many a Municipal President, and there are many here, who have held that office, that auctions have brought unthought-of prices also. It is quite possible that in an auction there may be a ring! I am quite prepared to get the best price that the Government wants for their articles and it is because of that principle that I advocate, generally, to abolish tender in Forest Department. Tender is open to the objection that the tender gets into another man's hand, and when a tender gets into an unscrupulous hand, the tender is broken and the information is given to the rival tenderer. I can quote instances in which there is that objection.

Deputy President.—There are objections to both.

Mr. A. B. Salem.—I shall quote my chapter and authority. There have been tenderers and the small tenderer has been asked to come and to give a higher tender. Shall I give instances?

Deputy President.—Not necessary.

Mr. A. B. Salem.—There is that drawback there and there is a way to go wrong. We do want to shut out that wrong. There is the other objection. My motion is upon the whole notification—sale by seigniorage and sale by tender. Now sale by seigniorage should not take place. When we advocated public auction, I understood at that time, that tender system should not be kept any more in existence in the Forest Department. It is because I understood in that way the budget motion, that I spoke particularly upon the difficulties attendant, upon the disadvantages attendant, upon calling tenders. Now it is because I honestly understood it to be so that I called attention to the fact that the principle adopted is also being violated. Along with that there is the plain question, that no standing timber shall be sold on payment of seigniorage. We have much to say about seigniorage contract that was given in the forest fed by the Tram line. For a small amount of seigniorage, valuable timber has been cut, brought down and taken away and a small amount has been paid as *kuttikanam*. A mass of literature is in my box as to what kind of timber has been cut on *kuttikanam* or seigniorage rates. The forests have been denuded of them, because they sold them as standing timber. This selling of standing timber was so well condemned, that a repetition was not necessary in my opening speech. The tenderers were not informed. Did you? Therefore, I directed my attention, my strength and my time upon the question of

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drawing attention to the bad system of tender. That is the reason. The whole notification, I said, the notification of 23rd Vrischigam 1104, which is in contravention to the decision of the House accepted by the Government is the subject matter of my adjournment motion—to call attention to the whole notification. I did not mean to call attention only to the system of tenders, far from it. I cannot understand how that meaning was put in that resolution by Hon'ble Members who misunderstood when they heard me.

Mr. K. P. Kannan Nayar.—By your own speech.

Mr. A. B. Salem.—I said that the other point was so well thrust that there was no repetition necessary. That shows how much of memory you all possess here.

Then the sale must be for the best price. I am for the best price. I say when I have an article to sell, I put my own price upon the article, and when a man comes and asks me, what is your price, I say "*5 rupees, fixed price.*" If you want it take it for Rs. 5. If you don't want, go your way. I understand the Hon'ble Member for Forests telling "*I have a price in my mind. Unless I get that price, I will not accept the tender.*" God alone knows to whom he can tell that price.

Mr. K. Govinda Menon.—None.

Mr. A. B. Salem.—We will give you most honourable intentions. Supposing the Conservator of Forests wants to favour a tenderer. He will say that if you tender for so much, say Rs. 12,000, I will give you. I have not got the advantage of that information. I know of instances where the Diwan has told that, if you tender for so much, I would give you. Are you not putting the other tenderers to disadvantage? Is it right to deal with the public like that? You say the public are combining. You combine in your own interests and say we shall not sell the timber unless we get Rs. 14,000. If you want, you may pay. Otherwise you may go. Tenders must be made public. I think the Hon'ble Member for Planters also misunderstood me. Tender amounts need not be made public. We have got 1,000 trees in the forest. We want Rs. 50,000, the highest price. Any tender coming below that price we will not consider. What is your objection to say that? What is your objection for the seigniorage of the trees?

Mr. K. Govinda Menon.—May I quote one instance where the harm of announcing the highest price would accrue?

Mr. A. B. Salem.—No harm.

I want you to say the price that you expect.

Mr. K. Govinda Menon.—Suppose Rs. 30,000 was the price in coupe. Our highest price is Rs. 22,000. Suppose he gave only Rs. 22,000. We would not have got Rs. 30,000.

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Mr. A. B. Salem.—I say what is standing in your way to say this forest contains, I think there is a list in that notification showing the number of trees of the various species that are standing there, so many candies roughly. Cannot the Department put a price and say we shall not consider tender or auction bids which come below a certain price? Then I can understand that it is fair treatment. Now I put up that petition and my learned friend did not know my object in putting that petition. I wanted to see what the Government was going to do. I said I will pay you Rs. 500 more than the highest price. I did not even go to the Diwan and plead, as my Hon'ble friend, the Member for Forests said, that he went to the Diwan and pleaded. I went and handed a petition and I never cared to ask him about that petition. I did it for the mere sake to see what the Government was going to do when I offered Rs. 500 more.

Deputy President.—Rightly they did not accept.

Mr. A. B. Salem.—I have tabled the same motion again. I did not ask him to give me a chance. Tell me what is the price, the highest price that you expect. I shall offer you more. No, I will not tell. Why will you not tell? The price that I expect for this article is so much. If I get anything more than that I will sell. What is the objection? Unless it be, I don't want to say the other side, any other reason, I shall put it mildly like that. Tell the price, and if there are people who are willing to pay more than that price, give it to them. Don't say that A has offered more or that B has offered more. Let the country know that the price for the timber is fixed at so much. If you can give me more I shall give you. What A, B or C has offered, need not be said. To say that no tenderer has come and that if you give me one or two rupees, I will give you, is also improper. You may accept or reject a tender. It is only in the best interests of the Government that I have tabled this resolution in order to make the Department quite free, frank and generous to the public at large. Our complaint was, when our own people could not get timber, other people were carrying away our valuable timber outside Cochin, and to-day the lowest price in Chalakkudi is Rs. 62 per candy. Here timber hitherto was going away by private negotiations at 30, 35, 45, and 55. Yet that is by private negotiation, and by public auction in spite of combination of people trying to defeat the Conservator, and the Conservator is trying to become cleverer than the people. In spite of all that only in public auction the highest price of Rs. 125 a candy, and the lowest Rs. 62 obtained. That is much higher than what you got by private negotiation this year. So I think, I am absolutely justified in tabling this adjournment motion. Whatever be the result, it does not concern me.

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The motion was put and negatived,

Mr. A. B. Salem.—Poll, Sir.

The House divided:— Ayes 5 and Noes 14.

Ayes.

1. Mr. K. J. Antony
2. Mr. A. K. Kunhi Moideen
3. Mr. K. Mohamed Seethi
4. Mr. V. D. Ouseph
5. Mr. A. B. Salem

Noes.

1. Mr. V. K. Aravindaksha Menon
2. Mr. A. Eachara Menon
3. Mr. K. Govinda Menon
4. Mr. K. P. Kannan Nayar
5. Mr. V. K. Kochunni Menon
6. Mr. T. K. Krishna Menon
7. Mr. K. Krishna Pisharodi
8. Rao Sahib Mr. C. Matthai
9. Mr. P. Nilakanta Menon
10. Mr. M. K. Raman
11. Mr. I. Raman Menon
12. Mr. V. B. Vaidyanatha Ayyar
13. Dr. E. A. Veigas
14. Diwan Bahadur Dr. V. Verghese

Mr. K. P. Kannan Nayar.—Do you want neutrals?

Mr. A. B. Salem.—I only want men.

Deputy President.—The Council is adjourned.

(*The House rose at 5-9 p. m.*)

T. K. KRISHNA MENON,
Secretary to the Council.

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